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July 3, 2023

**VIA ECF**

Hon. Lorna G. Schofield  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: ***Vinci Brands, LLC v. Coach Services, Inc.***, Case No. 1:23-CV-05138

Dear Judge Schofield,

I write on behalf of the Plaintiff, Vinci Brands, LLC in the above-captioned matter and in response to the Motion to Seal the Declaration of Steve Latkovic (ECF 55) which was filed on June 30, 2023 by Defendants Coach Services, Inc., Kate Spade, LLC, and Tapestry, Inc.

After further consulting, in good faith, with Defendants' counsel regarding the basis for their request to seal the Latkovic Declaration, Vinci reviewed Section 15 of the License Agreement and determined that the royalty payment information contained in Paragraph 4 of the Latkovic Declaration is not "confidential information" within the meaning of the License Agreement. Section 15.1 of the License Agreement defines "confidential information" as business, financial and other information "*imparted to the other party during the course of this Agreement with respect to the business of the disclosing party and its affiliates.*" See ECF 15, Ex. A (emphases added). Kate Spade did not impart the royalty payment information to Vinci—Vinci knows this information from its own records. Moreover, it is information relating to Vinci's own business.

It also bears noting that Defendants have repeatedly identified the ***amount of royalties allegedly owed by Vinci*** under the License Agreement. See, e.g., ECF 31, at pp. 1, 5, 6, 8, 10. Vinci can discern no rational distinction between royalty amounts *paid* by Vinci and royalty amounts allegedly *owed* by Vinci when considering what constitutes confidential information under the License Agreement. Moreover, the amount of royalties paid and the amount allegedly owed are at the core of this case.

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Respectfully submitted,

BENESCH, FRIEDLANDER,  
COPLAN & ARONOFF LLP

s/ Michael A. Vatis

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Cc: All Counsel of Record (via ECF)